

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/476,372

REMARKS

Claims 2-6 and 8 are pending in the application.

In response to the Amendment filed April 14, 2004, the Examiner removed the previous claim rejections. The status of the claims is the following.

Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over previously-cited Buchholz et al. (US 5,555,266) in view of newly-cited Bauchot et al. (US 6,141,336).

Claims 3 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Buchholz et al. in view of Bauchot et al. and further in view of previously-cited Johnston (US 6,064,649).

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Buchholz et al. in view of Bauchot et al. and further in view of previously-cited Patel (US 5,953,706).

Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Buchholz et al. in view of Bauchot et al. and Johnston, and further in view of Patel.

Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Buchholz et al. in view of newly-cited Fischer et al. (US 5,889,772).

Applicant respectfully traverses the rejections as set forth below.

For the rejection of claim 8, Applicant submits that the prior art fails to teach or suggest all of the limitations of the claim. Specifically, Fischer does not disclose allocating the wireless resource when the error occurs in the received data without informing the corresponding wireless terminal of error occurrence. The Examiner admits that Buchholz does not disclose this feature of claim 8, but points to col. 12, lines 65-67 and col. 13, lines 1-10 of Fischer as allegedly corresponding to this feature of the claim. The portion of the reference cited by the Examiner

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describes a system and method for monitoring the performance of a WLAN, wherein each transmitted frame is monitored to determine whether the frame transmission was protected by an existing outstanding airtime reservation. However, the portion of the reference cited by the Examiner is silent with respect to allocating the wireless resource when the error occurs in the received data without informing the corresponding wireless terminal of error occurrence. Hence, claim 8 is allowable over the prior art for at least this reason.

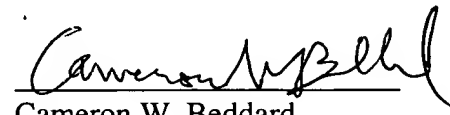
Independent claim 2 is amended herein to include the feature of claim 8 of allocating the wireless resource when the error occurs in the received data without informing the corresponding wireless terminal of error occurrence. Applicant submits that the prior art fails to teach or suggest this feature of the claims, and thus claim 2 and its dependent claims 3-6 are allowable over the prior art, for reasons analogous to those for claim 8.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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